

UNITED STATES DISTRICT COURT

for the

Eastern District of Missouri

United States of America

v.

Joseph Martin Jr.

Date of Original Judgment: 10/07/2008

Date of Previous Amended Judgment: _____

(Use Date of Last Amended Judgment if Any)

Case No: 4:08CR68(JCH)

USM No: 33110-044

Richard Sindel

Defendant's Attorney

ORDER REGARDING MOTION FOR SENTENCE REDUCTION PURSUANT TO 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG §1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 160 months is reduced to 120 months.

(Complete Parts I and II of Page 2 when motion is granted)

IT IS FURTHER ORDERED that Defendant's motion for appointment of counsel in Case No. 4:11CV705(JCH) contained in Footnote 1 of the instant Motion to Reduce Sentence, is denied.

Except as otherwise provided, all provisions of the judgment dated 10/07/2008 shall remain in effect.

IT IS SO ORDERED.

Order Date: 01/05/2012

Effective Date: _____
(if different from order date)


Judge's signature

\s/ Jean C. Hamilton
Printed name and title

**This page contains information that should not be filed in court unless under seal.
(Not for Public Disclosure)**

Joseph Martin Jr.

DEFENDANT: _____

CASE NUMBER: 4:08CR68(JCH)

DISTRICT: Eastern District of Missouri

I. COURT DETERMINATION OF GUIDELINE RANGE (*Prior to Any Departures*)

Previous Total Offense Level: 32

Amended Total Offense Level: 28

Criminal History Category: II

Criminal History Category: II

Previous Guideline Range: 135 to 168 months

Amended Guideline Range: Count I 120 months
Count II 70 - 87 months

II. SENTENCE RELATIVE TO THE AMENDED GUIDELINE RANGE

- ☒ The reduced sentence is within the amended guideline range.
- ☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a substantial assistance departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
- ☐ The reduced sentence is above the amended guideline range.

III. ADDITIONAL COMMENTS